

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SKYLINE RISK MANAGEMENT, INC.,

Plaintiff,

-against-

YANNIS LEGAKIS, et al.,

Defendant(s).

20-CV-8395 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On May 2, 2024, counsel for Skyline Risk Management moved to withdraw as counsel in this case, citing a breakdown in communications and irreconcilable conflict. Dkts. 262, 263. Counsel explains that its communications to Skyline either go unanswered entirely or are met with completely unresponsive answers. Counsel says that the lack of communication has impaired its ability to prepare for trial.

On May 8, 2024, the Court held a hearing on the motion. George Menexas, Skyline's principal, was in attendance and without objection from any party, the Court conducted an ex parte hearing on the record (sealed) with Mr. Menexas and Skyline's current counsel, Mr. Schlossberg. As indicated after the ex parte hearing and in open court, Mr. Menexas indicated his desire for new representation. For these reasons, and those stated on the record at the hearing, the Court hereby orders as follows, and the parties and Mr. Menexas should pay close attention to these deadlines:

1. The Court will permit Skyline to seek new counsel, under the strict time frame outlined here.
2. Until new counsel is located, or if no new counsel is located, **May 20, 2024**, Mr. Schlossberg should remain as counsel for Skyline, for the purpose of facilitating

settlement discussions and for any assistance Skyline might need in finding new counsel.

3. Mr. Menexas is to contact the insurance carrier by end of day today, May 8, 2024, and defendants may contact the insurance carrier tomorrow, May 9, 2024.
4. On May 13, 2024, Mr. Schlossberg should file on the docket and serve on Mr. Menexas a letter updating the Court on whether the case has been resolved and whether Mr. Menexas has secured new counsel.
5. **New counsel must be secured no later than May 20, 2024.** Because Skyline is a corporate entity, it may appear in federal court only through licensed counsel. *See Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007).
6. If new counsel doesn't enter an appearance by May 20, 2024, Mr. Schlossberg should renew his motion to withdraw, with service on Mr. Menexas, and the motion will then be granted for the reasons stated at today's hearing. On or after that date, defendants may seek a default judgment and any further relief that they deem warranted.
7. If new counsel appears on Skyline's behalf, the deadline for the joint pretrial order will be extended until June 3, 2024, with any opposition to any motion in limine due June 7, 2024. The final pretrial conference, currently set for May 22, 2024, is hereby adjourned to June 10, 2024, at 10:00 AM. Trial, currently set to begin on June 3, 2024, is hereby adjourned to June 11, 2024. The Court will not grant any extensions of these dates.

Skyline's counsel must serve a copy of this Order upon Skyline Risk Management, Inc. by FedEx overnight mail at its principal place of business at 228 Park Avenue South, Suite 48897, New York, NY 10003 and upon George Menexas by email and by FedEx overnight mail at the best address counsel has for him on or before May 8, 2024.

SO ORDERED.

Dated: May 8, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge